

2/13/08

DRAFT

Minutes

**Alabama Environmental Management Commission
Personnel Committee Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama
February 8, 2008**

DRAFT
Minutes
Alabama Environmental Management Commission
Personnel Committee Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama
February 8, 2008

Convened: 10:00 a.m.
Adjourned: 10:08 a.m.

Part A

Transcript

Part B

Attachment Index

Attachment 1

Attachment 2

Part A

ENVIRONMENTAL MANAGEMENT COMMISSION
PERSONNEL COMMITTEE MEETING

Alabama Department of Environmental
Management Building
Alabama Room (Main Hearing Room)
1400 Coliseum Boulevard
Montgomery, Alabama

February 8, 2008

10:00 a.m.

COMMITTEE MEMBERS PRESENT:

DR. JOHN H. LESTER, CHAIR

SAM H. WAINWRIGHT, P.E.

ANITA L. ARCHIE

ALSO PRESENT:

ONIS "TREY" GLENN, III,

ADEM DIRECTOR

ROBERT TAMBLING, EMC LEGAL COUNSEL

DEBI THOMAS, EMC EXECUTIVE ASSISTANT

EMC PERSONNEL COMMITTEE MEETING - 2/8/2008

Page 2

INDEX

Page

1
2
3 Consideration of minutes of 2
4 meeting held on September 21,
5 2007
6
7 Consideration of motion and 2
8 discussion on proposed Final
9 Director's 2007 Performance
10 Evaluation
11 Other Business 7
12 Meeting Adjourned 11
13
14 DR. LESTER: We'll call this
15 Personnel Committee together. Let the
16 record show that all members are here,
17 Anita Archie, Sam Wainwright, and John
18 Lester. Out first item is
19 consideration of the minutes held on
20 September the 21st of 2007. Each
21 member has a copy. Do I have a motion
22 to approve them?
23 MS. ARCHIE: So moved.
24 MR. WAINWRIGHT: I second.
25 DR. LESTER: All in favor, say
26 aye.

Page 3

1 (Commission members in favor of
2 the motion so indicated.)
3 DR. LESTER: All opposed?
4 (No response.)
5 DR. LESTER: We have -- the
6 next item is the consideration of a
7 motion and discussion of a proposed
8 final Director's 2007 Performance
9 Evaluation. I'd like to say that I
10 appreciate all the Commissioners for
11 their input that they put into this.
12 And this is the first time that this
13 has ever been done, I guess, in the 25
14 years at ADEM, and it went together
15 pretty good the way it was set up. I
16 think the Commissioners -- if you have
17 any problems on some of the items that
18 we were working on, if you'll get
19 those things to Debi or to our
20 Chairman, we'll see if we can refine
21 this thing down a little more before
22 our next evaluation. And it may be 25
23 years, but anyway.

Page 4

1 Each one of the members here has
2 the proposed final director's
3 evaluation of the 2007 annual review.
4 If we approve this to send it to the
5 full Commission at our next meeting on
6 the 22nd, at that time, the -- it will
7 be presented to the full Commission.
8 If the full Commission approves it,
9 then the Chairman will sign it and our
10 Director will sign it. At that time,
11 if there are any questions, you can
12 get with Trey or get with Scott, our
13 Chairman, and Trey and Scott can meet
14 together to iron out any problems that
15 were shown in the evaluation.
16 Do any of the members have
17 anything that they would like to say
18 before we go for a motion?
19 MR. WAINWRIGHT: We're just
20 forwarding the summary of the
21 evaluation to the officers?
22 DR. LESTER: We're forwarding
23 a summary of the evaluation to the --

Page 5

1 for our next regular Commission
2 meeting.
3 MR. WAINWRIGHT: Will this go
4 to the Director at the same time, or
5 will it just go to the Commission?
6 DR. LESTER: Normally, I would
7 say it would just go to the
8 Commission, but Robert, what do you
9 think? Does the Director get a copy
10 of the evaluation? Because at some
11 point, he and the Chairman are going
12 to have to sit down and decide.
13 MR. TAMBLING: It's going to
14 go the Commission, and the Commission
15 is going to have to approve it, and
16 they'll delegate the responsibility to
17 the Chair of meeting with the Director
18 and going over the strengths and
19 weaknesses. But the summary that
20 you're talking about is going to be
21 the actual evaluation.
22 DR. LESTER: Okay.
23 MR. WAINWRIGHT: Thank you.

2 (Pages 2 to 5)

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EMC PERSONNEL COMMITTEE MEETING - 2/8/2008

Page 6

1 DR. LESTER: Anybody else have
2 anything?
3 MS. ARCHIE: Well, I would
4 like to go ahead and make a motion
5 that we recommend to the full
6 Commission that it adopt the proposed
7 final director's evaluation for the
8 2007 annual review period and delegate
9 to the Commission Chair the authority
10 to sign the evaluation on behalf of
11 the Commission and present it to the
12 Director for signature.
13 DR. LESTER: I have a motion.
14 Do I have a second?
15 MR. WAINWRIGHT: I second.
16 DR. LESTER: Motion and a
17 second. All in favor, say aye.
18 (Commission members in favor of
19 the motion so indicated.)
20 DR. LESTER: All opposed?
21 (No response.)
22 DR. LESTER: Does our attorney
23 have any comments or anything on

Page 8

1 Commission at the next Commission
2 meeting.
3 DR. LESTER: That would be a
4 recommendation. If you'll put that in
5 the minutes as a recommendation to the
6 full Commission.
7 MS. THOMAS: Yes.
8 DR. LESTER: Do you have
9 anything?
10 MR. WAINWRIGHT: I'd just like
11 to ask if your intent is that each
12 individual Commission review be open
13 to the public.
14 MS. ARCHIE: Yes.
15 MR. WAINWRIGHT: I just want
16 to ask, what is the legal side of
17 that. Is this -- do we have to open
18 those up?
19 MR. TAMBLING: Mr. Wainwright,
20 it's my understanding that there is an
21 attorney general's opinion that I
22 haven't seen yet, but one that
23 nevertheless states that individual

Page 7

1 anything that we need to do other than
2 we're just going to send this
3 evaluation to the Commission? And
4 like I said, none of the Commissioners
5 other than us have seen this, so, you
6 know, we need to...
7 MR. TAMBLING: No, I have no
8 comment. I think the Committee's done
9 a fine job today.
10 DR. LESTER: Debi, you'll see
11 that the Commissioners get a copy of
12 the evaluation before the next
13 meeting?
14 MS. THOMAS: Yes, sir.
15 DR. LESTER: Any other
16 business for this Commission?
17 MS. ARCHIE: I have one
18 additional item, Mr. Chair. I would
19 like to propose that we present to the
20 full Commission as a policy that our
21 individual evaluation be subject to
22 open records for review, that that be
23 a policy that we bring to the full

Page 9

1 input into an evaluation does not
2 necessarily need to be made a part of
3 the public record. However, I think
4 it will be a policy decision by the
5 Commission as to whether or not the
6 Commission wants the individual
7 Commission member's input into the
8 evaluation disclosed to the public.
9 It becomes a policy matter. I think
10 the attorney general's opinion will
11 probably say that it doesn't
12 necessarily need to be made a part of
13 the official record, but I don't think
14 that means you don't have to disclose
15 it or that you can't disclose it if
16 you want to.
17 DR. LESTER: Since it's going
18 to be brought to the next meeting,
19 will you research it and get that
20 information for us --
21 MR. TAMBLING: I'll be happy
22 to.
23 DR. LESTER: -- where we'll

3 (Pages 6 to 9)

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EMC PERSONNEL COMMITTEE MEETING - 2/8/2008

Page 10

1 know? Is that good?
 2 MS. ARCHIE: That's fine.
 3 MR. WAINWRIGHT: Do we need to
 4 do anything to add it to the agenda
 5 for the next meeting?
 6 MS. THOMAS: No. We have the
 7 topic of the director evaluation on
 8 the agenda.
 9 MR. WAINWRIGHT: We can do it
 10 under that time bracket. Okay. I'm a
 11 little concerned about this, Ms.
 12 Archie, because if we end up -- we'll
 13 end up writing our evaluations so, you
 14 know, we're conscious that they're
 15 going to be published in the paper,
 16 and sometimes that inhibits what you
 17 might say in an evaluation. So I'm
 18 going to -- give me a couple of weeks
 19 to think on it.
 20 MS. ARCHIE: Just a policy
 21 decision for us to make, whether it
 22 would be a good policy to do, you
 23 know, all for openness, transparency,

Page 12

1 *****
 2 REPORTER'S CERTIFICATE
 3 *****
 4
 5 STATE OF ALABAMA
 6 COUNTY OF MONTGOMERY
 7
 8 I, Nicole Paulk, Certified
 9 Court Reporter and Notary Public in
 10 and for the State of Alabama at Large,
 11 do hereby certify that the foregoing
 12 is a true and accurate transcript of
 13 the proceedings as taken
 14 stenographically by me at the time and
 15 place aforementioned.
 16
 17

Nicole Paulk
 Certified Court Reporter
 ACCR #426-Expires 9/30/08

Page 11

1 if anybody wanted to look at it. I do
 2 understand your concerns, as being an
 3 attorney myself, some concerns, but I
 4 just throw it out for consideration by
 5 the Committee. And I ask Robert to
 6 research that and bring it forth at
 7 the Committee, what would be the best
 8 recommendation for us or advice.
 9 MR. TAMBLING: I will do that.
 10 MS. ARCHIE: Okay.
 11 DR. LESTER: No other
 12 business. This meeting is adjourned.
 13 (Meeting adjourned.)
 14
 15 (The foregoing EMC Personnel Committee
 16 Meeting concluded and was adjourned at
 17 approximately 10:08 a.m., on February
 18 8th, 2008.)
 19
 20
 21
 22
 23

4 (Pages 10 to 12)

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2 REPORTER'S CERTIFICATE

3 * * * * *

4

5 STATE OF ALABAMA

6 COUNTY OF MONTGOMERY

7

8 I, Nicole Paulk, Certified
9 Court Reporter and Notary Public in
10 and for the State of Alabama at Large,
11 do hereby certify that the foregoing
12 is a true and accurate transcript of
13 the proceedings as taken
14 stenographically by me at the time and
15 place aforementioned.

16

17

Nicole Paulk /ca

Nicole Paulk

18

Certified Court Reporter

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19

20

21

22

23

<p>A</p> <p>ACCR 12:18 accurate 12:12 actual 5:21 add 10:4 additional 7:18 ADEM 1:16 3:14 adjourned 2:9 11:12,13,16 adopt 6:6 advice 11:8 aforementioned 12:15 agenda 10:4,8 ahead 6:4 Alabama 1:2,3,4 12:5,10 Anita 1:12 2:14 annual 4:3 6:8 anybody 6:1 11:1 anyway 3:23 appreciate 3:10 approve 2:19 4:4 5:15 approves 4:8 approximately 11:17 Archie 1:12 2:14 2:20 6:3 7:17 8:14 10:2,12,20 11:10 ASSISTANT 1:18 attorney 6:22 8:21 9:10 11:3 authority 6:9 aye 2:23 6:17 a.m 1:6 11:17</p>	<p>brought 9:18 Building 1:3 business 2:8 7:16 11:12</p> <p>C</p> <p>call 2:11 CERTIFICATE 12:2 Certified 12:8,18 certify 12:11 Chair 1:10 5:17 6:9 7:18 Chairman 3:20 4:9 4:13 5:11 Coliseum 1:4 comment 7:8 comments 6:23 Commission 1:1 3:1 4:5,7,8 5:1,5,8 5:14,14 6:6,9,11 6:18 7:3,16,20 8:1 8:1,6,12 9:5,6,7 Commissioners 3:10,16 7:4,11 Committee 1:1,9 2:12 11:5,7,15 Committee's 7:8 concerned 10:11 concerns 11:2,3 concluded 11:16 conscious 10:14 consideration 2:3,5 2:16 3:6 11:4 copy 2:18 5:9 7:11 COUNSEL 1:17 COUNTY 12:6 couple 10:18 Court 12:9,18</p>	<p>delegate 5:16 6:8 Department 1:2 director 1:16 4:10 5:4,9,17 6:12 10:7 director's 2:6 3:8 4:2 6:7 disclose 9:14,15 disclosed 9:8 discussion 2:6 3:7 DR 1:10 2:11,22 3:3,5 4:22 5:6,22 6:1,13,16,20,22 7:10,15 8:3,8 9:17 9:23 11:11</p> <p>E</p> <p>E 2:1 EMC 1:17,18 11:15 Environmental 1:1 1:2 evaluation 2:7 3:9 3:22 4:3,15,21,23 5:10,21 6:7,10 7:3 7:12,21 9:1,8 10:7 10:17 evaluations 10:13 EXECUTIVE 1:18</p> <p>F</p> <p>favor 2:22 3:1 6:17 6:18 February 1:6 11:17 final 2:6 3:8 4:2 6:7 fine 7:9 10:2 first 2:15 3:12 foregoing 11:15 12:11 forth 11:6 forwarding 4:20,22 full 4:5,7,8 6:5 7:20 7:23 8:6</p>	<p>GLENN 1:15 go 4:18 5:3,5,7,14 6:4 going 5:11,13,15,18 5:20 7:2 9:17 10:15,18 good 3:15 10:1,22 guess 3:13</p> <p>H</p> <p>H 1:10,11 happy 9:21 Hearing 1:3 held 2:3,16</p> <p>I</p> <p>III 1:15 indicated 3:2 6:19 individual 7:21 8:12,23 9:6 information 9:20 inhibits 10:16 input 3:11 9:1,7 intent 8:11 iron 4:14 item 2:15 3:6 7:18 items 3:17</p> <p>J</p> <p>job 7:9 John 1:10 2:14</p> <p>K</p> <p>know 7:6 10:1,14 10:23</p> <p>L</p> <p>L 1:12 Large 12:10 legal 1:17 8:16 Lester 1:10 2:11,15 2:22 3:3,5 4:22 5:6,22 6:1,13,16 6:20,22 7:10,15 8:3,8 9:17,23</p>	<p>11:11 little 3:21 10:11 look 11:1</p> <p>M</p> <p>Main 1:3 Management 1:1,3 matter 9:9 means 9:14 meet 4:13 meeting 1:1 2:3,9 4:5 5:2,17 7:13 8:2 9:18 10:5 11:12,13,16 member 2:18 members 1:9 2:13 3:1 4:1,16 6:18 member's 9:7 minutes 2:3,16 8:5 Montgomery 1:4 12:6 motion 2:5,18 3:2,7 4:18 6:4,13,16,19 moved 2:20</p> <p>N</p> <p>N 2:1 necessarily 9:2,12 need 7:1,6 9:2,12 10:3 nevertheless 8:23 Nicole 12:8,17 Normally 5:6 Notary 12:9</p> <p>O</p> <p>officers 4:21 official 9:13 Okay 5:22 10:10 11:10 ONIS 1:15 open 7:22 8:12,17 openness 10:23 opinion 8:21 9:10 opposed 3:3 6:20</p>
<p>B</p> <p>behalf 6:10 best 11:7 Boulevard 1:4 bracket 10:10 bring 7:23 11:6</p>	<p>D</p> <p>D 2:1 Debi 1:18 3:19 7:10 decide 5:12 decision 9:4 10:21</p>	<p>G</p> <p>general's 8:21 9:10 give 10:18</p>		

P	research 9:19 11:6	9:3,9,13 10:19	#426-Expires 12:18
Page 2:2	response 3:4 6:21	THOMAS 1:18	1
paper 10:15	responsibility 5:16	7:14 8:7 10:6	10:00 1:6
part 9:2,12	review 4:3 6:8 7:22	throw 11:4	10:08 11:17
Paulk 12:8,17	8:12	time 3:12 4:6,10	11 2:9
Performance 2:6	Robert 1:17 5:8	5:4 10:10 12:14	1400 1:4
3:8	11:5	today 7:9	2
period 6:8	Room 1:3,3	topic 10:7	2 2:3,5
Personnel 1:1 2:12	S	transcript 12:12	2007 2:4,6,17 3:8
11:15	Sam 1:11 2:14	transparency	4:3 6:8
place 12:15	Scott 4:12,13	10:23	2008 1:6 11:18
point 5:11	second 2:21 6:14	Trey 1:15 4:12,13	21 2:3
policy 7:20,23 9:4,9	6:15,17	true 12:12	21st 2:17
10:20,22	see 3:20 7:10	U	22nd 4:6
present 1:9,14 6:11	seen 7:5 8:22	understand 11:2	25 3:13,22
7:19	send 4:4 7:2	understanding	7
presented 4:7	September 2:3,17	8:20	7 2:8
pretty 3:15	set 3:15	W	8
probably 9:11	show 2:13	Wainwright 1:11	8 1:6
problems 3:17 4:14	shown 4:15	2:14,21 4:19 5:3	8th 11:18
proceedings 12:13	side 8:16	5:23 6:15 8:10,15	9
propose 7:19	sign 4:9,10 6:10	8:19 10:3,9	9/30/08 12:18
proposed 2:6 3:7	signature 6:12	want 8:15 9:16	
4:2 6:6	sir 7:14	wanted 11:1	
public 8:13 9:3,8	sit 5:12	wants 9:6	
12:9	State 12:5,10	way 3:15	
published 10:15	states 8:23	weaknesses 5:19	
put 3:11 8:4	stenographically	weeks 10:18	
P.E 1:11	12:14	went 3:14	
Q	strengths 5:18	we'll 2:11 3:20 9:23	
questions 4:11	subject 7:21	10:12	
R	summary 4:20,23	we're 4:19,22 7:2	
recommend 6:5	5:19	10:14	
recommendation	T	working 3:18	
8:4,5 11:8	taken 12:13	writing 10:13	
record 2:13 9:3,13	talking 5:20	X	
records 7:22	TAMBLING 1:17	X 2:1	
refine 3:20	5:13 7:7 8:19	Y	
regular 5:1	9:21 11:9	years 3:14,23	
Reporter 12:9,18	Thank 5:23	#	
REPORTER'S	thing 3:21		
12:2	things 3:19		
	think 3:16 5:9 7:8		

Part B

Attachment Index

Attachment 1

Agenda

Attachment 2

Order adopting motion to recommend to the full Commission that it adopt the proposed final Director's Evaluation for the 2007 annual review period and delegate to the Commission Chair the authority to sign the evaluation on behalf of the Commission and present it to the Director for signature

(Agenda Item 2 – Consideration of motion and discussion on proposed Final Director's 2007 Performance Evaluation)

Attachment 1

AGENDA*
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION
PERSONNEL COMMITTEE MEETING
Alabama Room (Main Hearing Room)
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama
February 8, 2008
10:00 a.m.

<u>ITEMS</u>	<u>PAGE</u>
1. Consideration of minutes of meeting held on September 21, 2007**	2
2. Consideration of motion and discussion on proposed Final Director's 2007 Performance Evaluation	2
3. Other business	2

*The Agenda for this meeting will be available on the ADEM website, www.adem.alabama.gov, under EMC Information and Calendar of Events.

**The Minutes for this meeting will be available on the ADEM website under EMC Information

1. CONSIDERATION OF MINUTES OF MEETING HELD ON SEPTEMBER 21, 2007
2. CONSIDERATION OF MOTION AND DISCUSSION ON PROPOSED FINAL DIRECTOR'S 2007 PERFORMANCE EVALUATION

The Committee will discuss the 2007 Director's Performance Evaluations provided by the members of the Commission, prepare a proposed final evaluation, and consider a motion to recommend said evaluation to the full Commission for adoption with the recommendation that the Commission delegate to the Commission Chair the authority to sign the final evaluation on behalf of the Commission and present it to the Director for signature.

3. OTHER BUSINESS

Attachment 2

BEFORE THE
PERSONNEL COMMITTEE
OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

MOTION

Recommend to the full Commission that it adopt the proposed final Director's Evaluation
for the 2007 annual review period and delegate to the Commission Chair
the authority to sign the evaluation on behalf of the Commission and
present it to the Director for signature

ORDER

This cause coming before the Personnel Committee pursuant to the above motion,
and having considered the same, the Personnel Committee hereby ORDERS,
ADJUDGES, and DECREES as follows:

1. That the above motion is hereby adopted; and
2. That the proposed final Director's Evaluation for the 2007 annual review
period is attached hereto and made a part hereof; and
3. That this action has been taken and this Order shall be deemed rendered
effective as of the date shown below.

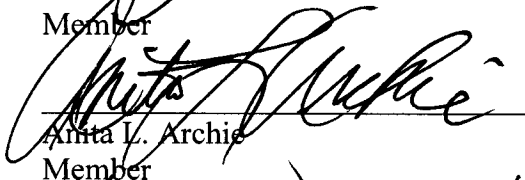
ISSUED this 8th day of February 2008.

PERSONNEL COMMITTEE

APPROVED:



Dr. John H. Lester
Member



Anita L. Archie
Member



Sam H. Wainwright
Member

PROPOSED FINAL DIRECTOR EVALUATION 2007 ANNUAL REVIEW PERIOD

Rank the executive director on the performance factors using the performance definitions (5=outstanding, 4=significantly exceeds expectations, 3=fully capable, 2=needs improvement, 1=unsatisfactory)

1. ADMINISTRATION

Performance Factor	Performance (From 5 to 1)	Comments
Planning	3 - 5 - 3 - 3 - 4 - 4 - 4	See attached comments.
Budgeting and Economic Management	3 - 4 - 3 - 3 - 4 - 3 - 5	See attached comments.
Organization of Work	3 - 5 - 3 - 3 - 4 - 4 - 3	See attached comments.
Compliance	3 - 5 - 3 - 4 - 4 - 4 - 4	See attached comments.
Problem Solving and Decision Making	3 - 5 - 5 - 3 - 4 - 4 - 4	See attached comments.
Evaluation and Control	3 - 5 - 5 - 3 - 4 - 3 - 4	See attached comments.
Risk (Liability) Management	3 - 4 - 3 - 4 - 4 - 3 - 4	See attached comments.

2. INTERPERSONAL

Performance Factor	Performance (From 5 to 1)	Comments
Oral Communication	3 - 5 - 2 - 5 - 5 - 4 - 5	See attached comments.
Written Communication	3 - 5 - 2 - 5 - 4 - 5 - 5	See attached comments.
Coordination/Collaboration	3 - 5 - 3 - 3 - 4 - 3 - 3	See attached comments.
Leadership	2 - 4 - 4 - 3 - 4 - 3 - 4	See attached comments.

3. INDIVIDUAL

Performance Factor	Performance (From 5 to 1)	Comments
Effort and Initiative	3 - 5 - 5 - 4 - 4 - 4 - 4	See attached comments.
Professional/Technical Competence	3 - 5 - 3 - 4 - 4 - 4 - 5	See attached comments.
Innovation	3 - 5 - 5 - 4 - 4 - 5 - 4	See attached comments.
Objectivity	3 - 5 - 3 - 4 - 4 - 3 - 3	See attached comments.
Credibility	3 - 5 - 3 - 4 - 4 - 4 - 3	See attached comments.
Flexibility	3 - 5 - 3 - 4 - 4 - 4 - 4	See attached comments.

4. LEADERSHIP

Performance Factor	Performance (From 5 to 1)	Comments
Coaching	3 – 5 – 4 – 3 – 4 – 3 – 4	See attached comments.
Modeling	3 – 5 – 3 – 3 – 4 – 3 – 4	See attached comments.
Team Building	3 – 5 – 4 – 3 – 4 – 3 – 3	See attached comments.
Visioning	4 – 5 – 4 – 4 – 4 – 5 – 4	See attached comments.
Self-development	4 – 5 – 4 – 3 – 4 – 4 – 4	See attached comments.

5. STRATEGIC PLANNING

Performance Factor	Met/Unmet (yes or no)	Comments
Funding	Met/yes (6 Commissioners) Met/no (1 Commissioner)	See attached comments.
External Relations	Met/yes (all Commissioners)	See attached comments.
Efficiency/Effectiveness	Met/yes (all Commissioners)	See attached comments.

OVERALL EVALUATION (Please check one)

- ☐ Outstanding (96 - 110)
☒ Significantly exceeds expectations (81 - 95)
 Final Overall Evaluation Total – 83 (rounded up from 82.85714286)
☐ Fully capable (66 - 80)
☐ Needs improvement (51 - 65)
☐ Unsatisfactory (50 or below)

SPECIFIC FEEDBACK COMMENTS (required):

What were the executive director's performance highlights in the past year? See attached comments by Commissioners.

What could have been most improved regarding the executive director's performance in the past year? See attached comments by Commissioners.

What should be the executive director's performance goals for the next year? See attached comments by Commissioners

Was the director attentive to any personal projects or goals you, as a Commissioner, had? See attached comments by Commissioners.

Were these projects or goals completed in a timely and professional manner? See attached comments by Commissioners.

Evaluator's Signature: _____ Date: _____

Evaluator's Printed Name: W. Scott Phillips, EMC Chair

Director's Signature: _____ Date: _____

Director's Printed Name: Onis "Trey" Glenn, III, ADEM Director

ATTACHMENTS:

Director Evaluations of Commissioners Anita L. Archie, Kathleen J. Felker, Laurel G. Gardner, Kenneth A. Hairston, John H. Lester, W. Scott Phillips, and Sam H. Wainwright